

Address: 1 Meridian Road Eatontown NJ 07724 **Phone:** 732 460-1700 **Fax:** 732 460-1722 **Email:** office@seadprogram.org

September 16, 2013

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

From: Special Education Of Deal
Leah Lando
Director@seadprogram.org
BEN # 16064015

Subject: Appeal of USAC Funding Decision - Docket 02-6

Request for Review

We are appealing the SLD decision to deny funding for FRNs 2362435, 2362440, 2362437, 2362438, 2362439 and 2362436 of Form 471 number 866749. These FRNs were originally denied because USAC claimed that we didn't provide sufficient documentation needed to determine the eligibility of the equipment and that we failed to respond to the Administrator's Cost Effectiveness Review Information Request.

We appealed this directly to USAC on June 20, that we were not aware of getting any correspondence from USAC questioning the above application.

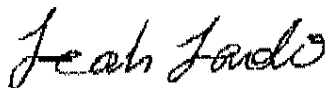
While we closed for our summer break USAC sent us two emails requesting additional information. We got back on July 24th, we contacted the reviewer and the reviewer advised us over the phone that we have seven days to respond. On July 27th we responded with all the requested information (included).

On August 06, 2013 we got the Administrator's Decision on Appeal notifying us that our appeal was denied (included) because the letter claims that we did not respond to USAC's request for additional information.

We are appealing this because we believe that USAC didn't follow its procedure of first contacting a school during the summer months to confirm that the school is available to respond. Secondly, the reviewer agreed over the phone to give us an additional seven days to respond.

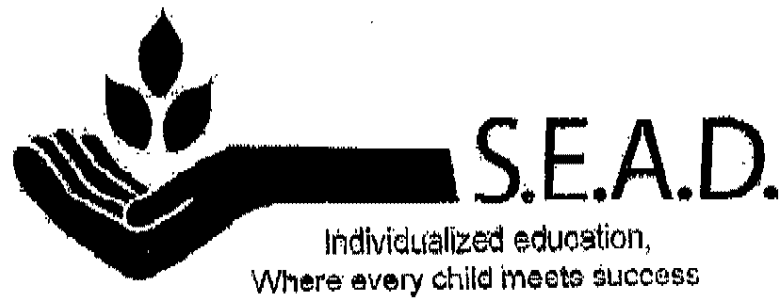
Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Leah Lando".

Leah Lando

Secretary



Address: 1 Meridian Road Eatontown NJ 07724 **Phone:** 732 460-1700 **Fax:** 732 460-1722 **Email:** office@seadprogram.org

To: Rocco G Bambaci - MBA

Program Compliance

30 Lanidex Plaza West | Parsippany, NJ 07054

T: 973.581.5219 | F: 973.599.6525

From: Special Education Of Deal

Mashie Gutterman

Director@seadprogram.org

BEN # 16064015

I.

The documentation you provided in your Item 21 Attachments is not sufficient to determine the eligibility of your request for the following FRNS: 2362435, 2362436, 2362437, 2362438, 2362439, 2362440

For each FRN, please provide more detailed documentation that identifies the actual products and services being requested, such as a quote, vendor statement, invoice, etc.

The detailed vendor quotes are included.

Please note that we would like to cancel FRNs 2362438, 2362439 and 2362440.

II.

For all request that include a request for Basic Maintenance of Internal Connections. Please provide additional detailed information about your request, including a complete list of equipment to be maintained, equipment quantities, and make and model number. This needs to be vendor documentation and needs to sum to the amounts requested for each frn.

Please note that we would like to cancel FRNs 2362438, 2362439 and 2362440 which is all FRNs that are for Basic Maintenance of Internal Connections.

FRN 2362435

- •What is the make and model number of the PBX? Panasonic KX-TDE200.
- •The following components are not eligible. Please provide the costs associated if these components are included in your request.
- Telephone Handsets \$00 (is not included)
- Automatic Call Distribution (ACD) \$00 (is not included)
- Music-on-Hold \$00 (is not included)
- Intercom Components \$00 (is not included)
- Paging Components \$00 (is not included)
- • Only a single console is included in the PBX.

The APC Smart-UPS 1500VA supports the PBX of this FRN.

FRN 2362436

Server functions

Function(s) of the requested servers. Include the percentage (if any) used for *items (e) through (k), which are ineligible functions*, so that they may be cost allocated to ensure funding is only requested for eligible uses.

- a. **DHCP Server**
- b. **Domain name Server (DNS)**

FRN 2362437

The SKU of the NSA 2400 Sonicwall is 01-SSC-7020.

The Rack and the APC Smart-UPS 3000VA UPS support the DNS/DHCP server of FRN 2362436.

Cost Effectiveness Questions for all FRNS:

Based upon the information before us at this time, we are unable to make a positive determination that the funding requests are cost effective. However, we are affording you an opportunity to submit further information that would justify your request. A favorable determination requires that we have a full understanding of the specific services for the amount requested, and a justification that establishes that the funding request is cost effective. The information needed to complete this evaluation is as follows:

Application 866749 FRN 2362435 at \$45,388.87 for Internal Connections

1. Please provide full vendor documentation for this request in the amount of **\$45,388.87**.

Detailed vendor quote is included.

2. Please provide a complete itemized list of all equipment in the amount of **\$45,388.87**. The list of equipment should include the make, model number, quantity, and function of each piece of equipment. Note: If your request includes switches please indicate the total number of ports per switch; if your request includes a PBX to be maintained; please indicate the make and model of each component of the PBX; if your request includes a UPS please include the make and model number of each piece of equipment to be backed up.

Detailed vendor quote is included.

3. Please indicate if any cabling infrastructure is part of this funding request. Please indicate the cost of cabling infrastructure for this portion, the total number of cabling drops, and the total number of classrooms with cabling. No

4. Does your request for internal connections include servers? No

5. If there is any installation, labeling, testing and supervision charges, please provide a detailed task list for the services performed and the number of hours associated with the tasks performed that equal the amount requested for these items. Please specify the hourly technician rate.

The cost of installation was based on \$175.00 per hour.

Installation of the PBX components which includes mounting, cross-connect, setup/programming of the PBX, was based on 14 hours for 2 technicians priced @ \$175 an hour.

Installation of cordless part of the PBX system there which includes the setup and configuring of the cell stations and to connect to the PBX system. – was based on 5 hours for setup and \$350 for site survey.

Network setup/to configure and setup of network (IP) of the PBX system, was based on 8.5 + hours for 2 technicians priced @ \$175 an hour .

Installation of the Voice Mail system which includes mounting, setup/programming of the Voice Mail setting up user voice mail, was based on 8 to 9 hours for 2 technicians priced @ \$175 an hour.

Application 866749 FRN 2362437 at \$42,552.77 for Internal Connections

1. Please provide full vendor documentation for this request in the amount of \$42,552.77.

Detailed vendor quote is included.

2. Please provide a complete itemized list of all equipment in the amount of **\$42,552.77**. The list of equipment should include the make, model number, quantity, and function of each piece of equipment. Note: If your request includes switches please indicate the total number of ports per switch; if your request includes a PBX to be maintained; please indicate the make and model of each component of the PBX; if your request includes a UPS please include the make and model number of each piece of equipment to be backed up.

Detailed vendor quote is included.

3. Please indicate if any cabling infrastructure is part of this funding request. Please indicate the cost of cabling infrastructure for this portion, the total number of cabling drops, and the total number of classrooms with cabling. No

4. Does your request for internal connections include servers? Yes

Circle the function(s) of the requested servers. Include the percentage (if any) used for items (e) through (i), which are ineligible functions, so that they may be cost allocated to ensure funding is only requested for eligible uses.

a. **DHCP Server**

b. **Domain name Server (DNS)**

5. If there is any installation, labeling, testing and supervision charges, please provide a detailed task list for the services performed and the number of hours associated with the tasks performed that equal the amount requested for these items. Please specify the hourly technician rate.

The cost of installation was based on \$175.00 per hour.

Installation of the server that includes mounting, basic operating system installation & setup, setup of active directory, DNS, DHCP, creating user accounts, creating group policies, creating user profiles, was based on 17 /18 hours for 2 technicians priced @ \$175 an hour.

It also includes the installation and set up of the network backup that includes assembling of all backup equipment, install latest firmware updates, configure disk array/partitions , download/install configure backup software, deploy backup agents to all hosts being backed up, setup backup disk drives, setup/configure backup jobs and notification, was based 11 - 12 hours for a technicians priced @ \$175 an hour.

Application 866749 FRN 2362436 at \$30,602.66 for Internal Connections

1. Please provide full vendor documentation for this request in the amount of **\$30,602.66.**

Detailed vendor quote is included.

2. Please provide a complete itemized list of all equipment in the amount of **\$30,602.66.** The list of equipment should include the make, model number, quantity, and function of each piece of equipment. Note: If your request includes switches please indicate the total number of ports per switch; if your request includes a PBX to be maintained; please indicate the make and model of each component of the PBX; if your request includes a UPS please include the make and model number of each piece of equipment to be backed up.

Detailed vendor quote is included.

3. Please indicate if any cabling infrastructure is part of this funding request. Please indicate the cost of cabling infrastructure for this portion, the total number of cabling drops, and the total number of classrooms with cabling.

It includes 40 data runs and 20 voice runs for 6 rooms.

4. Does your request for internal connections include servers? No

5. If there is any installation, labeling, testing and supervision charges, please provide a detailed task list for the services performed and the number of hours associated with the tasks performed that equal the amount requested for these items. Please specify the hourly technician rate.

The cost of installation was based on \$175.00 per hour.

It includes installation of all network equipment including the mounting of all Rack, ensemble rack enclosure, shelves, doors, panels, KMM/KVM and UPS/PDU, mounting all patch panels, switches and router . Update firmware, configure the IP addresses and configuration for each device, configure router, configure SonicWall with basic WAN/LAN configurations, setup inbound/outbound NAT policies, Setup static/dynamic routing as needed, setup inbound/outbound

firewall rules, configure user/group internet access permissions, setup V-LAN as required, was based on 8 to 9 hours for 2 technicians priced @ \$175 an hour.

It also includes design and engineering which includes staking out the school location to draw up a wiring blueprint, to draw up an exact wiring map where to run each data and voice run and a LAN diagram, was based 11 - 12 hours for a technicians priced @ \$175 an hour.

All FRNs

1. Please indicate the total number of staff and teachers located at the SPECIAL EDUCATION OF DEAL

25

2. Please indicate the number of buildings and the number of classrooms within each building at the SPECIAL EDUCATION OF DEAL.

1 Building 6 rooms.

3. Please indicate if there are any special circumstances we should take into consideration for purposes of evaluating the cost-effectiveness of these services.

Special Education Of Deal" is a school that serves students that are academically challenged. We offer extremely small classes we often work one-on-one with our students. We have a staff of twenty five for an enrollment of twenty two students. Technology use plays a major role in the education provided to our students.

4. Please provide a description of how you chose your service providers as cost effective sources for the services requested.

It is our policy to seek vendors who provide quality work in a timely manner and most of all it is our policy to select vendors based on the cost of the goods and services. Data Maven LLC is a local vendor that has reputation for providing quality work, low pricing and excellent service.

Mashie Gutterman

Director

Mashie Gutterman
Special Education of Deal
1 Meridian Road
Eatontown, NJ 07724

Billed Entity Number: 16064015
Form 471 Application Number: 866749
Form 486 Application Number:



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2012-2013

August 06, 2013

Mashie Gutterman
Special Education of Deal
1 Meridian Road
Eatontown, NJ 07724

Re: Applicant Name: SPECIAL EDUCATION OF DEAL
Billed Entity Number: 16064015
Form 471 Application Number: 866749
Funding Request Number(s): 2362435, 2362436, 2362437, 2362438, 2362439,
2362440
Your Correspondence Dated: June 20, 2013

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2012 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2362435, 2362436, 2362437, 2362438, 2362439,
2362440

Decision on Appeal: **Denied**

Explanation:

- During the appeal review process you were given an opportunity to provide the missing documentation. Program Compliance made initial contact with you on July 1, 2013 and informed you of the information needed to complete the internal connections and cost effectiveness review. You were instructed that the request was time sensitive and that a response was expected within fifteen (15) calendar days. On July 10, 2013, Program Compliance contacted and reminded you that the requested documentation due date was July 16, 2013. As this information was not forthcoming, USAC is unable to determine the eligibility of the above funding requests. Therefore, your appeal is denied.

- USAC Schools and Libraries Division oversees the administration of the E-rate Program and has the authority to make decisions concerning the administration of the application process, including activities to ensure compliance with Federal Communications Commission rules and regulations. *See* 47 C.F.R. sec. 54.705(a)(1)(iii). To conduct these reviews, USAC has put in place administrative measures to ensure the prompt resolution of applications. If applicants do not respond within the designated time period, USAC reviews the application based on the information available. *See* Request for Review of the Decision of the Universal Service Administrator by Marshall County School District, Moundsville, West Virginia, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File No. SLD-220105, et al., CC Docket Nos. 96-45 and 97-21, 18 FCC Rcd 4520, 4522, Order, DA 03-764 para. 6 (rel. Mar. 13, 2003). Typically, applicants are required to respond to USAC's requests for additional information necessary to complete their application within 15 days of being contacted. *See* Request for Review of the Decision of the Universal Service Administrator by Bishop Perry Middle School, New Orleans, Louisiana, et al., Schools and Libraries Universal Service Mechanism, File Nos. SLD-487170, et al., CC Docket No. 02-6, Order, 21 FCC Rcd 5316-5317, FCC 06-54 para. 23 (rel. May 19, 2006) (Bishop Perry Order). *See also* Application Review posted in the SLD section of the USAC website. For those instances where USAC contacts the applicant in reference to a Selective Review Information Request, the applicant may be provided 30 days to comply with the request. This procedure is necessary to prevent undue delays during the application review process.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company